UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2008</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-28</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>01 March 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
     1.☐ Certified copies of the priority documents have been received.
     2.☐ Certified copies of the priority documents have been received in Application No. _____.
     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/27/2008 has been entered.

Response to Amendment

2.   This office action is in response to communications filed 02/27/2008. Claims 1-28 are pending. Claims 1, 8, 11, 18, 21 and 26 are amended. Claims 2-7, 9, 10, 22-25, 27 and 28 are original. Claims 12-17 and 19-20 are previously presented

Response to Arguments

3.   Applicant's arguments filed 02/27/2008 have been fully considered but they are not persuasive.

Regarding Claims 1 and 11, the applicant argues that the content description

scheme comprises structure, semantic and occurrence description schemes and that

Sezan does not teach or suggest evaluating the multimedia content using only the

occurrence description scheme (Page 8).

In response to the argument, Sezan discloses the content description (Figure 13,

400) comprising a structure description scheme (Figure 13, 402, 450, 452, 454, Figures

16-18), a semantic description scheme (Figure 13, 404, 480, 482, 484, Figures 19-21),

and an occurrence description scheme (Figure 13, 406, Figure 14) and evaluating the

multimedia content using only the occurrence description scheme to browse, filter and

search the content (Figure 14, 406, page 16, paragraphs 0183). Sezan does not teach

the semantic and structure description schemes to evaluate the multimedia content or

enabling searching, browsing or filtering of the video program.

Claims 2-7 and 12-17 depend on Claims 1 and 11. See arguments above.

4.   Applicant's arguments filed 02/27/2008 have been fully considered but they are

not persuasive.

Regarding Claims 8-10, 18-28, the applicant argues that Cobbley does not have

an equivalent to Applicant's content description and occurrence description scheme

(Pages 8-9). The applicant further argues that Cobbley does not even suggest

evaluating the content using an occurrence scheme.

Cobbley disclose creating content description with indexing information (Column

3, lines 43-45), the content description comprising an occurrence description scheme

describing subject matter of the program segments (Column 11, lines 6-50). Sezan

discloses the content description (Figure 13, 400) comprising a structure description

scheme (Figure 13, 402, 450, 452, 454, Figures 16-18), a semantic description scheme

(Figure 13, 404, 480, 482, 484, Figures 19-21), and an occurrence description scheme

(Figure 13, 406, Figure 14) and evaluating the multimedia content using only the

occurrence description scheme (Figure 14, 406, page 16, paragraph 0183). Sezan

does not teach the semantic and structure description schemes evaluating the

multimedia content or enabling searching, browsing or filtering of the video program.

See argument above.

Claim Objections

5.   Claims 2-3, 12-13 and 22 are objected to because of the following informalities:

The limitations do not further limit the independent claims. Please review these claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   Claims 1-7, 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by

Sezan et al (US 2005/0091685 and hereafter referred to as "Sezan").

Regarding Claims 1 and 11, Sezan discloses a computerized method and a

processor to perform a method (Page 3, paragraph 0042, Page 5, paragraph 0051)

comprising: receiving a content description for multimedia content, the content

description (Figure 13, 400) comprising a structure description scheme (Figure 13, 402,

450, 452, 454, Figures 16-18), a semantic description scheme (Figure 13, 404, 480,

482, 484, Figures 19-21), and an occurrence description scheme (Figure 13, 406,

Figure 14), the occurrence description scheme describing an occurrence of a semantic

entity at a location in the content or at a key frame or highlight or frame and extracting

the occurrence description scheme from the content description (Figure 14, Figure 13,

406, Page 16, paragraph 0183, Page 3, paragraph 0042, Page 4, paragraph 0049,

Page 5, paragraph 0050, Pages 10-12, paragraphs 0083-0125), the occurrence

description scheme comprising values for descriptors that describe features of the

content at the location or occurrence id including duration, location motion of profiles

including character and object profiles (Figure 14, Figure 13, 406, Page 3, paragraph

0042, Pages 10-12, paragraphs 0083-0125); and evaluating the multimedia content

using only the occurrence description scheme (Figure 14, page 16, paragraphs 0183).

Sezan discloses that an intelligent agent/software agent processes and performs the

functions using data from the data storage device (Page 3, paragraph 0042, Page 5,

paragraphs 0051, 0053). It is necessarily included that a computer readable storage

medium or a data storage device having executable instructions causes a processor or

agent to perform necessary functions.

Regarding Claims 2 and 12, Sezan discloses all the limitations of Claims 1 and

11 respectively. Sezan discloses the content description further comprises a full

semantic description scheme for the semantic entry (Figure 13, 404, 480, 482, 484,

Figures 19-21, Page 3, paragraph 0042).

Regarding Claims 3 and 13, Sezan discloses all the limitations of Claims 1 and

11 respectively. Sezan discloses providing the occurrence description scheme to an

application that evaluates the multimedia content (Page 16, paragraph 0183, Figure 13,

406, Figure 14, Page 3, paragraph 0042, Figure 2, 42, 52, Page 5, paragraph 0053).

Regarding Claims 4 and 14, Sezan discloses all the limitations of Claims 3 and

13 respectively. Sezan discloses wherein the application is selected from the group

consisting of searching, filtering, and browsing applications (Page 16, paragraph 0183,

Figure 13, 406, Figure 14, Page 5, paragraph 0053).

Regarding Claims 5 and 15, Sezan discloses all the limitations of Claims 1 and

11 respectively. Sezan discloses wherein the content description complies with the

MPEG-7 standard and the occurrence description scheme is represented by a

MediaOccurrence description scheme (Page 11, paragraph 0016, Character Profile,

Page 12, paragraphs 0017-0019, Object Profile).

Regarding Claims 6 and 16, Sezan discloses all the limitations of Claims 1 and

11 respectively. Sezan discloses creating the content description from the occurrence

description scheme (Page 3, paragraph 0042).

Regarding Claims 7 and 17, Sezan discloses all the limitations of Claims 6 and

16 respectively. Sezan discloses distributing the content description through a

communications media (Figure 2, Page 5, paragraph 0060).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 8-10, 18-20, 21-28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cobbley et al (US 5,614,940 and hereafter referred to as "Cobbley")

in view of Sezan.

Regarding Claims 8, 18 and 26, Cobbley discloses a computerized method

(Column 5, lines 51-67, Column 3, lines 1-13), a computer readable storage medium

having executable instructs to cause a computer to perform a method (Column 2, lines

50-65, Column 3, lines 1-13, Figure 5, Column 5, lines 51-67, Column 6, lines 16,

Column 14, lines 18-35), and a system (Figure 5, Column 14, lines 14-21) comprising: a

processor coupled to a bus (Figure 5, 501, 500); a memory coupled to the processor

through the bus (Figure 5, 505, 504); and an encode process executed by the

processor from the memory to cause the processor to create a content description for

multimedia content (Column 2, lines 50-65, Column 3, lines 1-13). Cobbley is silent on

the content description comprising an occurrence description scheme describing a

semantic entity at a location comprising an occurrence description scheme describing

an occurrence of a semantic entity in the multimedia content, the occurrence description

scheme comprising values for descriptors that describe features of the content at the

new location.

Sezan discloses a source of the content description (Page 5, paragraph 0050),

the content description (Figure 13, 400) comprising a structure description scheme

(Figure 13, 402, 450, 452, 454, Figures 16-18), a semantic description scheme (Figure

13, 404, 480, 482, 484, Figures 19-21), and an occurrence description scheme (Figure

13, 406, Figure 14), the occurrence description scheme describing an occurrence of a

semantic entity at a location in the content or at a key frame or highlight or frame and

extracting the occurrence description scheme from the content description (Figure 14,

Figure 13, 406, Page 16, paragraph 0183, Page 3, paragraph 0042, Page 4, paragraph

0049, Page 5, paragraph 0050, Pages 10-12, paragraphs 0083-0125), the occurrence

description scheme comprising values for descriptors that describe features of the

content at the location or occurrence id including duration, location motion of profiles

including character and object profiles (Figure 14, Figure 13, 406, Page 3, paragraph

0042, Pages 10-12, paragraphs 0083-0125); and Sezan discloses a limited decode

process executed by the processor from the memory to cause the processor to cause

the processor to evaluate the multimedia content using only the occurrence description

scheme (Figure 14, page 16, paragraphs 0183, Page 3, paragraph 0042).

Therefore, it would have been obvious at the time the invention to one of ordinary

skill in the art to modify Cobbley to include a structure description scheme (Figure 13,

402, 450, 452, 454, Figures 16-18), a semantic description scheme (Figure 13, 404,

480, 482, 484, Figures 19-21), an occurrence description scheme describing an

occurrence of a semantic entity at a location in the content or at a key frame or highlight

(Figure 14, Figure 13, 406, Page 16, paragraph 0183, Page 3, paragraph 0042, Page 4,

paragraph 0049, Page 5, paragraph 0050, Pages 10-12, paragraphs 0083-0125), the

occurrence description scheme comprising values for descriptors that describe features

of the content at the location (Figure 14, Figure 13, 406, Page 16, paragraph 0183,

Page 3, paragraph 0042, Page 4, paragraph 0049, Page 5, paragraph 0050, Pages 10-

12, paragraphs 0083-0125) and evaluating the multimedia content using only the

occurrence description scheme (Figure 14, page 16, paragraphs 0183, Page 3,

paragraph 0042) as taught by Sezan in order to provide a user with a description of

audio visual information for better browsing, filter, searching, archiving and

personalization (Page 1, paragraphs 001, 0006) and to be able to search, filter and

browse using a standardized method (Page 19, paragraph 0203).

Regarding Claim 21, Cobbley discloses a computerized method, a computer

readable medium having executable instruction to cause a processor to perform a

method, and a system comprising: a processor coupled to a bus (Figure 5, 500, 501); a

memory coupled to the processor through the bus (Figure 5, 505, 504); a

communications interface coupled to the processor through the bus (Figure 5, 512), and

further coupled to a communications medium (Figure 5, 512, Figure 1, 135); and a

process executed by the processor from the memory to cause the processor to receive,

through the communications interface, a content description for multimedia content the

content description comprising an occurrence description scheme describing subject

matter(Column 11, lines 6-34, Figure 1, Figure 3). Cobbley is silent on a limited decode

process executed by the processor from the memory to cause the processor to receive

a content description for multimedia content, the content description comprising an

occurrence description scheme describing an occurrence of a semantic entity at a

location in the content, the occurrence description scheme comprising values for

description that describe features of the content at the location and to extract the

occurrence description scheme from the content description. Sezan discloses a limited

decode process executed by the processor from the memory to cause the processor to

receive, through the communications interface, a content description for multimedia

content, the content description scheme (Figure 13, 400) comprising a structure

description scheme (Figure 13, 402, 450, 452, 454, Figures 16-18), a semantic

description scheme (Figure 13, 404, 480, 482, 484, Figures 19-21), and an occurrence

description scheme (Figure 13, 406, Figure 14), the occurrence description scheme

describing an occurrence of a semantic entity at a location in the content or at a key

frame or highlight or frame and extracting the occurrence description scheme from the

content description (Figure 14, Figure 13, 406, Page 16, paragraph 0183, Page 3,

paragraph 0042, Page 4, paragraph 0049, Page 5, paragraph 0050, Pages 10-12,

paragraphs 0083-0125), the occurrence description scheme comprising values for

descriptors that describe features of the content at the location or occurrence id

including duration, location motion of profiles including character and object profiles

(Page 3, paragraph 0042, Pages 10-12, paragraphs 0083-0125), and to extract the

occurrence description scheme from the content description (Page 3, paragraph 0042,

Page 4, paragraph 0049, Page 5, paragraph 0050,) and to evaluate the multimedia

content using only the occurrence description scheme (Figure 14, page 16, paragraphs

0183).

Therefore, it would have been obvious at the time the invention to one of ordinary

skill in the art to modify Cobbley to include a structure description scheme (Figure 13,

402, 450, 452, 454, Figures 16-18), a semantic description scheme (Figure 13, 404,

480, 482, 484, Figures 19-21), an occurrence description scheme describing an

occurrence of a semantic entity at a location in the content or at a key frame or highlight

(Figure 14, Figure 13, 406, Page 16, paragraph 0183, Page 3, paragraph 0042, Page 4,

paragraph 0049, Page 5, paragraph 0050, Pages 10-12, paragraphs 0083-0125), the

occurrence description scheme comprising values for descriptors that describe features

of the content at the location (Page 3, paragraph 0042, Figure 14, Figure 13, 406, Page

16, paragraph 0183 Page 9, paragraphs 0083-0125) and to extract the occurrence

description scheme from the content description (Page 3, paragraph 0042, Page 4,

paragraph 0049, Page 5, paragraph 0050,) and to evaluate the multimedia content

using only the occurrence description scheme (Figure 14, page 16, paragraphs 0183,

Page 3, paragraph 0042) as taught by Sezan in order to provide a user with a

description of audio visual information for better browsing, filter, searching, archiving

and personalization (Page 1, paragraphs 001, 0006) and to be able to search, filter and

browse using a standardized method (Page 19, paragraph 0203).

Regarding Claims 9, 19 and 27, Cobbley and Sezan discloses all the limitations

of Claims 8, 18 and 26 respectively. Cobbley is silent on the content description

complies with the MPEG-7 standard and the occurrence description is represented by a

MediaOccurrence description scheme. Sezan discloses wherein the content description

complies with the MPEG-7 standard and the occurrence description scheme is

represented by a MediaOccurrence description scheme (Page 11, paragraph 0016,

Character Profile, Page 12, paragraphs 0017-0019, Object Profile).

Regarding Claims 10, 20 and 28, Cobbley and Sezan disclose all the limitations

of 8, 18 and 26 respectively. Cobbley discloses a communications interface coupled to

the processor through the bus and further coupled to a communications medium (Figure

5, 512, Column 14, lines 50-55), and the encode process further causes the processor

to distribute the content description through the communications interface (Figure 5,

500, 501-503, Column 14, lines 15-45, 50-55, Figure 1, 135).

Regarding Claim 22, Cobbley and Sezan disclose all the limitations of Claim 21.

Sezan discloses providing the process of providing occurrence description scheme to

an application that evaluates the multimedia content (Page 3, paragraph 0042, Figure 2,

42, 52, Page 5, paragraph 0053).

Regarding Claim 23, Cobbley and Sezan disclose all the limitations of Claim 22.

Sezan discloses wherein the application is selected from the group consisting of

searching, filtering, and browsing applications (Page 5, paragraph 0053).

Regarding Claim 24, Cobbley and Sezan disclose all the limitations of Claim 21.

Sezan discloses wherein the content description complies with the MPEG-7 standard

and the occurrence description scheme is represented by a MediaOccurrence

description scheme (Page 11, paragraph 0016, Character Profile, Page 12, paragraphs

0017-0019, Object Profile).

Regarding Claim 25, Cobbley and Sezan disclose all the limitations of Claim 21.

Cobbley discloses a processor executing instructions from the memory to cause the

processor to receiving through the communications interface, the content description for

multimedia content, the content description further comprising a full semantic

description scheme for the semantic entry (Column 11, lines 6-34, Figure 1, Figure 3,

Figure 5). Sezan discloses a decode process executed by the processor, through the

communications interface, the content description for multimedia content, the content

description further comprising a full semantic description scheme for the semantic entry,

and to extract the full semantic description scheme from the content description (Page

3, paragraph 0042, Page 4, paragraph 0049, Page 5, paragraph 0050, Page 19,

paragraph 0203).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to FARZANA E. HOSSAIN whose telephone number is

(571)272-5943. The examiner can normally be reached on Monday to Friday 7:30 am

to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
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FEH
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